

ROBERT M. ARCHULETA #0121
Attorney for Defendant
333 South Denver Street
Salt Lake City, Utah 84111
Telephone: (801) 363-0141
Facsimile: (801) 363-0142

FILED
U.S. DISTRICT COURT
2005 NOV 28 P 3:11
DISTRICT OF UTAH

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

-VS-

CHARLES LAMAR NESS

DEFENDANT.

)
) POSITION OF PARTY WITH
) RESPECT TO SENTENCING
) FACTORS
) [U.S.S.G § 6A1.2 (b)
)
)

) CASE NO.2:05-CR-00196SA-ALL
)
)

) Judge Ted Stewart
)
)

Robert M. Archuleta, retained counsel for the defendant, Charles LaMar Ness, states that the United States Probation Presentence Report prepared by Glen Manross, United States Probation Officer, has been reviewed by the defendant and his counsel, and that neither have any objections to the Presentence Report in its entirety.

Dated this 23rd day of November, 2005.


Robert M. Archuleta, Esq.
Attorney for Defendant

CERTIFICATE OF MAILING

I Hereby Certify that on this 23rd day of November, 2005, I personally mailed a true and correct copy of the above POSITION OF PARTY WITH RESPECT TO SENTENCING FACTORS, to the following below listed parties:

United States District Court
Judge Ted Stewart
350 South Main Street
Salt Lake City, UT 84101

United States Attorney's Office
c/o Karin Fojtik, AUSA
185 South State Street, #400
Salt Lake City, Utah 84111



Rodney A. Gray,
Legal Secretary